

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

JOEL A. ACKERMAN  
JA 4027  
XWA 76143-1/mp  
ZUCKER, GOLDBERG & ACKERMAN, LLC  
Attorneys for Secured Creditor  
Wells Fargo Bank, NA  
200 Sheffield Street, Suite 301  
P.O. Box 1024  
Mountainside, New Jersey 07092-0024  
1-908-233-8500

In Re:

Bradley J. Hammond & Rosemarie Hammond (aka) Rosemarie  
Lewkowicz

Case No.: 06-13203-KCF

Judge: Kathryn Ferguson

Chapter: 13

Recommended Local Form: ☒ Followed ☐ Modified

**CREDITOR'S  
CERTIFICATION OF DEFAULT**

**Gabriell Bailey**

does hereby certify as follows:

1. I am Bankruptcy Specialist of Wells Fargo Bank, NA, a secured creditor of the debtor, and has knowledge and/or access to the business records of the aforesaid mortgage account and I am fully aware of the contents thereof..
2. On 01/23/08, an Order issued from this Court, a copy of which is attached hereto as an exhibit, providing for the cure of post-petition arrearages, and in default of such monthly payments for a thirty (30) day period, allowing the secured creditor ex parte relief to vacate the stay, with notice to the trustee, debtor and his attorney, if any.
3. Debtor has failed to comply with the aforesaid order:

☒ By missing payments and/or by failing to make the correct payments as

summarized on the annexed schedule "A".

☐ Other \_\_\_\_\_.

4. This certification is being made in an effort to enforce the prior order of this court and to vacate the stay.
5. I certify the above facts to be true. I am aware that if the above facts are willfully false, I am subject to punishment.

Dated: March 24, 2008

**Gabriell Bailey**

Sign here

Gabriell Bailey

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In Re:  
Bradley J. Hammond & Rosemarie Hammond (aka) Rosemarie  
Lewkowicz

Case No.: 06-13203-KCF  
Adv. No.:  
Hearing Date: 03/14/2007@ 9:00am  
Judge: Kathryn Ferguson

**CERTIFICATION RE POST-PETITION PAYMENT HISTORY  
ON THE NOTE AND MORTGAGE DATED 06/23/2004**

**Gabriell Bailey** of full age, Bankruptcy Specialist of Wells Fargo Bank, NA, hereby certifies the following information:

Property Address: 106 Hoffman Lane, Township of Bethlehem, Glen Gardner, NJ 08826  
Mortgage Holder: Wells Fargo Bank, NA  
Mortgagor(s)/Debtor(s): Bradley J. Hammond & Rosemarie Hammond (aka) Rosemarie Lewkowicz

POST-PETITION PAYMENTS (Petition filed on: 04/17/2006)

PAYMENTS ON THIS SCHEDULE ARE BASED ON AMOUNTS DUE PURSUANT TO COURT ORDER DATED 01/23/08

Amount Due	Date Payment Was Due	How Payment Was Applied (Mo./Yr.)	Amount Received	Date Payment Received	Check or Money Order Number
3057.70	01/26/08 per order	10/07	3057.70	12/04/07	
3057.70 1593.77	02/01/08 02/08 stip (1/6)	N/A	0.00	N/A	
3091.39 1593.77	03/01/08 03/08 stip (2/6)	N/A	0.00	N/A	

(continue on attached sheets if necessary)

\* = Balance into suspense

\*\* = Balance from suspense

Debtor is in default for  
February 2008 and March 2008 at \$3091.39 per month;

accrued late charges at \$292.11;  
stip balance of \$9562.58  
for total of \$16037.47 as of March 24, 2008

MONTHLY PAYMENTS PAST DUE:

2 X \$3,147.93 (MONTHLY PAYMENT \$6,295.86 AS OF March 24, 2008  
& LATE CHARGE) =

Each current monthly payment is comprised of::

Principal/Interest	\$1,947.39	
R.E. Taxes	\$1,075.17	
Insurance	\$68.83	
Other (specify): Escrow	\$0.00	(Specify) _____
<b>TOTAL</b>	<b>\$3,091.39</b>	

If the monthly payment has changed during the pendency of the case, please explain (attach separate sheet(s) if necessary):

I certify under penalty of perjury that the foregoing is true and correct.

March 24, 2008  
Date of Signature

Gabriel Bailey  
Signature

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

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In Re:  
Bradley J. Hammond & Rosemarie Hammond (aka) Rosemarie  
Lewkowicz



Case No.: 06-13203-KCF  
Adv. No.:  
Hearing Date: January 23, 2008  
Judge: Kathryn Ferguson

**ORDER RESOLVING DEBTORS' MOTION TO REIMPOSE STAY**

The relief set forth on the following pages, numbered two (2) through four (4) is hereby  
**ORDERED**

**DATED: 1/23/2008**

  
\_\_\_\_\_  
Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

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Debtor: Bradley J. Hammond & Rosemarie Hammond (aka) Rosemarie  
Lewkowicz  
Case No. 06-13203-KCF  
Caption of Order: **ORDER RESOLVING DEBTORS' MOTION TO REIMPOSE STAY**

This matter having been brought before the Court by Jonathan Stone, attorney for Debtors, upon a motion to reimpose the automatic stay as to real property located at 106 Hoffman Lane, Township of Bethlehem, Glen Gardner, NJ 08826, and it appearing that notice of said motion was properly served upon all parties concerned and this Court having considered the representations of attorneys for the Debtors and ZUCKER, GOLDBERG & ACKERMAN, attorneys for Secured Creditor, Wells Fargo Bank, NA, JOEL A. ACKERMAN appearing, and it appearing that the Debtors are in arrears, outside of the Chapter 13 Plan, to the aforesaid Secured Creditor, for payments and accumulated late charges due from October, 2007 through and including January, 2008, totaling \$12,620.28 (4 payments @ \$3,057.70/mo. + 4 late charges @ \$97.37/ea.), and for good cause having been shown;

It is **ORDERED, ADJUDGED and DECREED** that the automatic stay as to the mortgaged property known and designated as 106 Hoffman Lane, Township of Bethlehem, Glen Gardner, NJ 08826, is hereby reimposed; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Debtor(s) cure(s) the aforesaid arrearages by immediately forwarding to the Secured Creditor at Wells Fargo Bank, N.A., 1 Home Campus, Des Moines, Iowa 50328-0001, a check in the sum of \$3,057.70, made payable to the Secured Creditor, Wells Fargo Bank, NA, to be received on or before January 26, 2008; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that if the aforesaid payment is not made on or before the dates set forth above, the Secured Creditor's Attorneys may obtain an Order Vacating Automatic Stay As To Real Property by filing, with the Clerk of the Bankruptcy

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Debtor: Bradley J. Hammond & Rosemarie Hammond (aka) Rosemarie Lewkowicz

Case No. 06-13203-KCF

Caption of Order: **ORDER RESOLVING DEBTORS' MOTION TO REIMPOSE STAY**

Court, a Certification indicating the Debtor(s) failure to comply with this Court's Order, with a copy of said Certification being forwarded to the Trustee, Debtor(s) and Debtor's(s') Attorney; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the balance of arrears in the amount of \$9,562.58 be paid by the Debtor(s) forwarding to the Secured Creditor, in addition to their regular monthly mortgage payment, the sum of \$1,593.77 per month, which additional payment shall begin February, 2008 and continue for a period of six (6) months until the arrears outside the Debtor's(s') plan are cured; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that if the aforesaid payment is not made on or before the dates set forth above, the Secured Creditor's Attorneys may obtain an Order Vacating Automatic Stay As To Real Property by filing a Certification with the Clerk of the Bankruptcy Court, with a copy of said Certification being forwarded to the Trustee, Debtor(s) and Debtor's(s') Attorney, indicating the Debtor's(s') failure to comply with this Court's Order; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Debtor(s) make(s) regular mortgage payments, outside the Chapter 13 Plan, beginning in February, 2008, directly to the Secured Creditor, Wells Fargo Bank, NA, at 1 Home Campus, Des Moines, Iowa, 50328-0001. (Note: The amount of the monthly mortgage payment is subject to change according to the terms of the mortgage); and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that for the duration of the Debtor's(s') Chapter 13 bankruptcy proceeding, if any of the regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, the Secured Creditor may obtain an Order Vacating Automatic Stay As To Real Property by submitting a Certification to the

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Debtor: Bradley J. Hammond & Rosemarie Hammond (aka) Rosemarie  
Lewkowicz

Case No. 06-13203-KCF

Caption of Order: **ORDER RESOLVING DEBTORS' MOTION TO REIMPOSE STAY**

Court indicating any such payment is more than thirty (30) days late; and

It is **FURTHER ORDERED, ADJUDGED** and **DECREED** that a copy of any application, supporting certification, and proposed Order must be served on the Trustee, Debtor(s) and Debtors' counsel at the time of submission to the Court; and

It is **FURTHER ORDERED, ADJUDGED** and **DECREED** that the Secured Creditor, Wells Fargo Bank, NA, is hereby awarded reimbursement of attorney's fees in the sum of \$350.00, which is to be paid through the Debtor's(s') Chapter 13 Plan.